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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,363	04/16/2004	Han Sang Lee	8733.1030.00-US	8107
30827 7590 07/01/2009 MCKENNA LONG & ALDRIDGE LLP 1900 K STREET, NW WASHINGTON, DC 20006				
EXAMINER WALTHALL, ALLISON N				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/825,363

Applicant(s)

LEE ET AL.

Examiner

ALLISON WALTHALL

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11 and 13-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3,5-11,13-19 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The amendment filed 5/27/2009 has been entered. Claims 1-3, 5-11 and 13-19 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 11, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Naito (US Patent 6,462,735).

As to **claim 11**, Naito discloses a method of driving an electro-luminescence display device (see column 17, lines 16-23) including R, G and B cells having different light-emission efficiencies (see figure 3 and column 9, lines 48-53), the method comprising:

receiving Red, Green, and Blue N-bit (e.g., 8 bits) digital data signals (see column 8, lines 65-67);

converting the Red, Green, and Blue N-bit digital data signal having a same gray scale value into Red, Green, and Blue M-bit (e.g., 9 bit or 10 bit) digital data signals respectively, wherein each of N and M is an integer, M (e.g., 9 or 10) is greater than N (e.g., 8) (see column 8, line 63-column 9, line 5) and gray scale values of the Red, Green, and Blue M-bit digital data signals are different from each other (i.e. see figure

4—when a luminance of 128 is input for R, G, and B, the R, G, and B, output values on the V-T curves are different from each other);

converting the Red, Green, and Blue M-bit digital data signals into Red, Green, and Blue analog data signals, respectively (i.e. D/A converter); and

applying the Red, Green, and Blue analog data signals to respective Red, Green, and Blue pixels (see column 8, lines 52-57).

As to **claim 13**, Naito teaches wherein the gray scale value of the Red M-bit digital data signal is greater than the gray scale values of the Green and Blue digital data signals (see figure 4—the R curve is the uppermost curve, so at an input level of 128, the output gray scale value, DATA OUT, of red is larger than that of blue or green).

As to **claim 14**, Naito teaches wherein the gray scale number of the Green M-bit digital data signal is greater than the gray scale number of the Blue digital data signal (see Fig. 4).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-3, 5-10, and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naito in view of Kang (US Publication 2002/0063666).

As to **claim 1**, Naito discloses an electro-luminescence display device (see column 17, lines 16-23) comprising: R, G and B cells having different light-emission efficiencies (see figure 3 and column 9, lines 48-53);

a data converter (210 figure 1) having a look-up table (see column 11, lines 16-23) inputted with a N-bit (e.g., 8 bit) digital data signals having a same gray scale value (i.e. one of 0-255 is input),

the data converter converting the Red, Green, and Blue N-bit digital data signal into Red, Green, and Blue M-bit (e.g., 9 bit or 10 bit) digital data signals respectively, wherein each of N and M is an integer and M (e.g., 9 or 10) is greater than N (e.g., 8) (see col.10, lines 15-22); and

gray scale values of the Red, Green, and Blue M-bit digital data signals are different from each other (i.e. see figure 4—when a luminance of 128 is input for R, G, and B, the R, G, and B, output values on the V-T curves are different from each other)

converting the Red, Green, and Blue M-bit digital data signals into Red, Green, and Blue analog data signals (D/A converter 260), respectively; and

a data driving circuit (300) transferring the Red, Green, and Blue analog data signals to respective Red, Green, and Blue pixels (see column 8, lines 52-57).

Naito does not specifically mention a gamma voltage generator generating a plurality of gamma voltages. Kang teaches a gamma voltage generator (164) generating a plurality of gamma voltages (see [0077-0079]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the gamma voltage generator of Kang in the device of Naito to improve display quality.

As to **claim 2**, Kang teaches a timing controller (162) outputting Red, Green, and Blue N-bit digital data signals to a data converter (167) (see [0076 and 0079]).

As to **claim 3**, Kang teaches the data driving circuit (e.g., 83, 84) includes the gamma voltage generator.

Claims 5 and 6 are analyzed similar to claims 13 and 14 above.

As to **claim 7**, Naito teaches wherein the Red analog video signal applied to the respective pixel has a voltage level ranged in 0V to 5V (Fig 3 and see col. 10, lines 50-52).

As to **claim 8**, Naito teaches wherein the Green analog video signal applied to the respective pixel has a voltage level ranged in 0V to 2.5V (see Fig. 3 and col. 10, lines 50-52).

As to **claim 9**, Naito teaches wherein the Blue analog video signal applied to the respective pixel has a voltage level ranged in 0V to 1.9V (see Fig. 3 and col. 10, lines 50-52).

As to **claim 10**, Naito teaches an electroluminescence display (see column 17, lines 16-23), thus it is obvious each of the pixels is an electro-luminescence cell.

As to **claim 15**, Kang teaches generating a plurality of different gamma voltages using a gamma voltage generator.

As to **claims 16-19**, these claims are analyzed similar to claims 7-10, respectively.

Response to Arguments

6. Applicant's arguments filed 5/27/2009 have been fully considered but they are not persuasive.

Applicant argues on page 7 of the remarks that Naito does not disclose R, G, and B cells having different light-emission efficiencies because Naito in Figure 3 discusses liquid crystal cells and thus are not self-emitting. Firstly the examiner notes, the recitation "an electro-luminescence display device comprising" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hira*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Thus the "R, G, and B cells having different light-emission efficiencies" does not require an electro-luminescent cell or any other type of display element which is self-emitting. Rather the "cells" taught by Naito may comprise the light source behind the liquid crystal, the liquid crystal, in addition to a color filter and any other part of the pixel, and therefore the cell emits light, and the cells have different light-emission efficiencies as shown in figure 3.

In addition, Naito discloses the device may also be an EL display (see column 17, lines 16-23) and thus one of ordinary skill in the art at the time the invention was made would recognize that by using EL cells instead of liquid crystals with a light

source, the R, G, and B, cells may still have differing transmittances similar to that shown in Figure 3.

Applicant argues on page 7 that Naito also fails to disclose a data converter having a look-up table with Red, Green, and Blue N-bit digital data signals having a same gray scale value. Applicant argues the cited portion of Naito relates to EEPROM storing gamma correction characteristics as a conversion table. The examiner maintains the conversion table (column 11, lines 12-23) reads on the "look up table" of the claims where 9-bit DATA OUT are stored for each of Red, Green, and Blue 8-bit DATA IN.

Applicant argues on page 8 that Naito does not teach the converted Red, Green, and Blue M-bit digital data signals are different from each other. The examiner disagrees. Figure 4 shows the relationship between the input (N-bit) DATA IN and the converted (M-bit) DATA OUT. For example, when a DATA IN is 128, the DATA OUT has 3 different curves, one for each of Red, Green, and Blue. The DATA OUT values for each of Red, Green, and Blue are different from one another as the Red curve is higher than the Green curve which is higher than the Blue curve at a DATA IN of 128. Thus DATA OUT for Red will be higher than Green DATA OUT which will be higher than Blue DATA OUT.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALLISON WALTHALL whose telephone number is (571)270-3571. The examiner can normally be reached on Mon - Fri 9:30-6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

anw
June 29, 2009

/Chanh Nguyen/
Supervisory Patent Examiner, Art
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